IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FIFTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 12896 of 2004

Between:

B.Bhoomaiah, S/o.B.Durgaiah,
R/o.11-2-10/4, Bharathnagar Siddipet,
Medak Dist.

.... PETITIONER

AND

A.P.State Road Transport Corporation,

rep.by its Depot Manager,

Siddipet, Medak Dist.

...RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order direction or writ particularly one in the nature of writ Mandamus or any other appropriate writ declaring the proceedings No.A2/227 (1)/2004-SDPT, dated 5-7-2004 placing the petitioner under suspension is illegal and arbitrary and consequently set aside the same.

Counsel for the Petitioner: MR.G.VIDYASAGAR

Counsel for the Respondent No.: MR.K.HARINATH

The Court made the following:

ORDER:

The petitioner is working as a conductor under the respondent's Corporation. The allegation against the petitioner is that he reached the destination at 6:30 am., in stead of 9:00 am. Therefore, he was served with a charge sheet and the enquiry was initiated against him. Simultaneously, the respondent kept the petitioner under suspension.

2. The learned counsel for the petitioner submits that this is not such a serious case where it warrants suspension of the petitioner. Therefore, requested to raise the suspension pending enquiry against the petitioner. Keeping in view the nature of the allegations against the petitioner, it is felt that suspension of the petitioner is not warranted.

3. The order of suspension passed by the respondent is ordered to be set aside and the respondent is directed to take him to duty. The enquiry against the petitioner shall continue and appropriate orders can be passed by the respondent after the conclusion of the enquiry.

4. The writ petition is accordingly disposed of. No order as to costs.

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05-08-2004

LSK/SH

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

The Depot Manager,

A.P.State Road Transport Corporation,

Siddipet, Medak Dist.

2. Two C.D. copies

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 12896 of 2004

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Dated: 05-08-2004